

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28739 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- ARARIA District- Araria

1. Munilal Pandit @ Munnilal Pandit Son of Late Mahabir Pandit Resident of Village- Sisauna Gaiyari, P.S. and Dist.- Araria
2. Manju Devi Wife of Munilal Pandit Resident of Village- Sisauna Gaiyari, P.S. and Dist.- Araria
3. Suraj Kumar Pandit Son of Munilal Pandit Resident of Village- Sisauna Gaiyari, P.S. and Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-06-2024 1. Heard learned counsel for the petitioners and Mr. Chandra Bhushan Prasad learned A.P.P. for the State.
2. Learned counsel for the petitioners, at the outset, seeks permission to withdraw this application for grant of anticipatory bail with respect to petitioner nos. 1 and 2 who have been arrested during pendency of the anticipatory bail application.
3. Permission is accorded.
4. Accordingly, this application is dismissed as withdrawn with respect to petitioner nos. 1 and 2.
5. The petitioner no. 3 apprehends his arrest in a case registered for the offence punishable under Sections 304(B)/34



of the Indian Penal Code.

6. Learned counsel for the petitioner no. 3 submits that petitioner no. 3 is a person with clean antecedent, is a young boy aged about 20 years, is a student and has been falsely implicated in the instant case by the informant with an allegation that his daughter was married to the brother of the petitioner no. 3, namely, Amrit Kumar Pandit in the year 2023. Further, after marriage the accused persons including the petitioner no. 3 started demanding dowry as detailed in the FIR and non-fulfillment of the same led to torture of the deceased. It is further alleged that the husband of the deceased on 18.01.2024 informed the informant that his daughter died, accordingly, he reached the place of occurrence where he saw the dead body of his daughter lying on a bed.

7. Learned counsel for the petitioner no. 3 submits that petitioner no. 3, being the brother-in-law (Dewar) of the deceased, came to be implicated in a mechanical manner with general and omnibus allegation. It is further submitted that whenever any occurrence of the nature as alleged takes place the entire family members are implicated. It is next submitted that petitioner no. 3 is a young boy aged about 20 years and is a student and if he is sent to judicial custody, his future prospects



may get jeopardized and chances are bright that he may come in contact with the hardened criminals.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 3.

9. Considering the submissions made by the learned counsel for the petitioner no. 3, the petitioner no. 3 above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Araria P.S. Case No. 50 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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